

This follows up on the January 12, 2000, meeting regarding the proposed dredging at the diversions on Grant Line Canal, Tracy Oasis Marina, and Dels Marina. We discussed and identified the areas where dredging would result in the loss of delta smelt and Sacramento splittail habitat. Generally, all habitat between three meters below mean low low water and mean high high water constitutes suitable habitat for these species. The areas at the ingress/egress to the marinas, but not within the marina basin proper, are the areas of concern. These areas were generally outlined on the maps with the group.

Questions remained on the ratios for compensation for this loss of habitat. The nature of these impacts are unique, in that, DWR is proposing this one time dredging as compensation **for lowered water levels**. The marinas will likely require additional dredging in future years because of environmental factors (hydrology, rainfall, etc.). However, prior to this reasonably foreseeable future maintenance, suitable habitat will likely reestablish and would be subject to take prohibitions of the ESA. Therefore, to characterize these impacts as either temporary or permanent, does not consider the issues of multiple impacts to listed species and the requirement to minimize these impacts. A one time protection/restoration of alternative habitat, regardless of the ratio, does not address this issue of multiple impacts/loss/destruction of suitable habitat.

Because we have reasonable knowledge these impacts will occur on multiple occasions and result in transitional impacts to listed species, the Fish and Wildlife Service will require a 2:1 ratio on each occasion to minimize the ongoing adverse effects.

For consultation purposes, we will need a detailed project description including complete details on the mitigation areas. Aerial photos with the proposed dredged areas would be helpful, along with quantity of habitat lost, vegetation surveys/quantification on levees.